

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

Ameren Transmission Company of Illinois	}	
	}	
Petition for a Certificate of Public Convenience	}	
and Necessity, pursuant to Section 8-406.1 of	}	
the Illinois Public Utilities Act, and an Order	}	
pursuant to Section 8-503 of the Public Utilities	}	Case No.: 12-0598
Act, to Construct, Operate and Maintain a New	}	
High Voltage Electric Service Line and Related	}	
Facilities in the Counties of Adams, Brown, Cass,	}	
Champaign, Christian, Clark, Coles, Edgar,	}	
Fulton, Macon, Montgomery, Morgan, Moultrie,	}	
Pike, Sangamon, Schuyler, Scott, and Shelby,	}	
Illinois.	}	

**BRIEF IN REPLY TO EXCEPTIONS OF THE MORGAN, SANGAMON, AND  
SCOTT COUNTIES LAND PRESERVATION GROUP**

NOW COMES the Morgan, Sangamon, and Scott Counties Land Preservation Group (hereinafter referred to as "MSSCLPG"), by and through its attorneys, Edward D. McNamara, Jr. and Joseph H. O'Brien of McNamara & Evans, and for its Brief in Reply to Exceptions to the Proposed Second Order on Rehearing (hereinafter referred to as "PSO") issued herein by the administrative law judges on January 17, 2014, states as follows:

**Response to Brief on Exceptions of the Staff of the Illinois Commerce Commission:**

1. This response refers to Exception No. 4 (Meredosia - Pawnee Segment). MSSCLPG concurs with Staff Exception No. 4.
2. This response refers to Exception No. 5 (Meredosia - Pawnee Segment). MSSCLPG concurs with Staff Exception No. 5 and in addition thereto would call attention to the following language set forth in Staff Exception No. 5, to wit: "If the MSCLTF Route were used, AIC's existing 138 kV line and ATXI's 345 kV transmission line would provide a lesser risk to each other during a storm event than the risk caused by most other objects/structures that

located just outside of the rights-of-way if ATXI's Stipulated Route were used." (12)

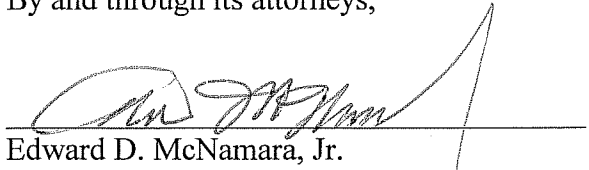
"Furthermore, a review of ATXI Ex. 4.2 reveals that AIC's existing 138 kV line that parallels the MSCLTF Route is connected to the existing Meredosia Substation and the existing Pawnee Substations, and so can be supplied from either." (16) "Use of the MSCLTF Route would not result in longer customer interruptions due to damage to AIC's 138 kV line, even if both the 345 kV and 138 kV simultaneously experienced damage." (17)

3. As was previously stated by MSSCLPG, Staff Witness Greg Rockrohr is an unbiased expert witness in this case. He is a professional engineer who is eminently well qualified. Mr. Rockrohr's opinions are based upon facts which are undisputed.
4. MSSCLPG would ask that the Commission look at the underlying facts surrounding the stipulations entered into with regard to this segment. The stipulation between ATXI and MSCLTF should not be given weight as to community acceptance in favor of the ATXI Route. It should be noted that the MSSCLPG Route is the very route MSCLTF originally advocated in this case. Likewise, as to the stipulation between ATXI and FutureGen Industrial Alliance, FutureGen has acknowledged that "a route following the existing 138 kV line from Meredosia to Pawnee, Illinois, as proposed by [MSCLTF] in their Supplemental Identification of Alternate Route, filed on January 3, 2013, would substantially resolve the FutureGen Alliance's concerns." (MSSCLPG Cross Exhibit 1) Thus, the stipulation with FutureGen, much like the stipulation with MSCLTF, has no probative value as to the issue of what parties actually support the route now advocated by MSSCLPG. Both the route advocated by MSSCLPG and the route advocated by ATXI will have equal impact upon FutureGen and MSCLTF.
5. MSSCLPG would further call attention to the fact that ATXI could certainly have come

forward with additional evidence within its control with reference to the Meredosia to Pawnee Segment. ATXI failed to do so.

WHEREFORE, MSSCLPG respectfully requests that the PSO be amended to recommend selection of the MSCLTF Route.

**Respectfully Submitted,**  
**Morgan, Sangamon, and Scott Counties**  
**Land Preservation Group,**  
By and through its attorneys,



Edward D. McNamara, Jr.  
Joseph H. O'Brien


Edward D. McNamara, Jr.  
Joseph H. O'Brien  
McNamara & Evans  
P.O. Box 5039  
931 South Fourth Street  
Springfield, IL 62705-5039  
(217) 528-8476  
Fax: (217) 528-8480  
[McNamara.Evans@gmail.com](mailto:McNamara.Evans@gmail.com)


**VERIFICATION**

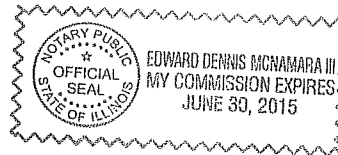
STATE OF ILLINOIS        }  
                                      }SS  
COUNTY OF SANGAMON }

Edward D. McNamara, Jr., being first duly sworn, deposes and says that he is authorized to execute this Brief in Reply to Exceptions; that he has read the above and foregoing document, has knowledge of the facts stated therein; and herewith states that the matters set forth therein are true in substance and in fact.

Subscribed and Sworn to before me  
this 5th day of February, 2014.


  
\_\_\_\_\_  
Edward D. McNamara, Jr.

  
\_\_\_\_\_  
Notary Public



**CERTIFICATE OF SERVICE**

Edward D. McNamara, Jr., an attorney, hereby certifies that he served copies of the foregoing Brief in Reply to Exceptions on the individuals shown on the attached Service List, via electronic mail, on February 5, 2014.

  
\_\_\_\_\_  
Edward D. McNamara, Jr.

## SERVICE LIST

John D. Albers	<a href="mailto:jalbers@icc.illinois.gov">jalbers@icc.illinois.gov</a>	Elias Mossos	<a href="mailto:emossos@mwelc.com">emossos@mwelc.com</a>
Kelly Armstrong	<a href="mailto:karmstrong@icc.illinois.gov">karmstrong@icc.illinois.gov</a>	James V. Olivero	<a href="mailto:jolivero@icc.illinois.gov">jolivero@icc.illinois.gov</a>
Eric Robertson	<a href="mailto:erobertson@lrklaw.com">erobertson@lrklaw.com</a>	Kyle C. Barry	<a href="mailto:kyle.barry@huschblackwell.com">kyle.barry@huschblackwell.com</a>
Kimberly W. Bojko	<a href="mailto:bojko@carpenterlipps.com">bojko@carpenterlipps.com</a>	Jon Robinson	<a href="mailto:jrobinson@brelaw.com">jrobinson@brelaw.com</a>
Colleen A. Check	<a href="mailto:check@carpenterlipps.com">check@carpenterlipps.com</a>	Greg Rockrohr	<a href="mailto:grockrohr@icc.illinois.gov">grockrohr@icc.illinois.gov</a>
Eric E. Dearmont	<a href="mailto:edearmont@ameren.com">edearmont@ameren.com</a>	Johnie T. Snedeker	<a href="mailto:tedsned@digcomsrv.com">tedsned@digcomsrv.com</a>
Erika Dominick	<a href="mailto:edominick@ameren.com">edominick@ameren.com</a>	Timothy J. Tighe Jr.	<a href="mailto:ttighe@brelaw.com">ttighe@brelaw.com</a>
Matthew R. Tomc	<a href="mailto:mtomc@ameren.com">mtomc@ameren.com</a>	Pamela D. Irwin	<a href="mailto:drppi227@yahoo.com">drppi227@yahoo.com</a>
Christopher M. Ellis	<a href="mailto:cellis@brelaw.com">cellis@brelaw.com</a>	Stephen Yoder	<a href="mailto:syoder@icc.illinois.gov">syoder@icc.illinois.gov</a>
Edward C. Fitzhenry	<a href="mailto:efitzhenry@ameren.com">efitzhenry@ameren.com</a>	Robert H. Alvine	<a href="mailto:sarattorneys@hotmail.com">sarattorneys@hotmail.com</a>
Gerald Ambrose	<a href="mailto:gambrose@sidley.com">gambrose@sidley.com</a>	Brittany K. Toigo	<a href="mailto:bk@barberlaw.com">bk@barberlaw.com</a>
Matthew L. Harvey	<a href="mailto:mharvey@icc.illinois.gov">mharvey@icc.illinois.gov</a>	Alisha Anker	<a href="mailto:aanker@ppi.coop">aanker@ppi.coop</a>
Christopher Kennedy	<a href="mailto:kennedy@whitt-sturtevant.com">kennedy@whitt-sturtevant.com</a>	Richard C. Balough	<a href="mailto:rbalough@balough.com">rbalough@balough.com</a>
G. Ronald Kesinger	<a href="mailto:kesingerlaw@frontier.com">kesingerlaw@frontier.com</a>	Sean R. Brady	<a href="mailto:sbrady@windonthewires.org">sbrady@windonthewires.org</a>
Joseph L. Lakshmanan	<a href="mailto:joseph.l.lakshmanan@dynegy.com">joseph.l.lakshmanan@dynegy.com</a>	Daniel Breden	<a href="mailto:dbreden@ppi.coop">dbreden@ppi.coop</a>
Kathleen E. Ratcliffe	<a href="mailto:ratcliffe@whitt-sturtevant.com">ratcliffe@whitt-sturtevant.com</a>	Stephen P. Clevenger	<a href="mailto:sclevenger@family-net.net">sclevenger@family-net.net</a>
Shannon K. Rust	<a href="mailto:rust@whitt-sturtevant.com">rust@whitt-sturtevant.com</a>	Cheryl Dancey Balough	<a href="mailto:cbalough@balough.com">cbalough@balough.com</a>
Rebecca Segal	<a href="mailto:segal@whitt-sturtevant.com">segal@whitt-sturtevant.com</a>	Edward F. Flynn	<a href="mailto:eflynn@family-net.net">eflynn@family-net.net</a>
Lori Spangler	<a href="mailto:wmmc106@gmail.com">wmmc106@gmail.com</a>	Steve Hughart	<a href="mailto:shughart@ibew702.org">shughart@ibew702.org</a>
Albert D. Sturtevant	<a href="mailto:sturtevant@whitt-sturtevant.com">sturtevant@whitt-sturtevant.com</a>	Erick F. Hubbard	<a href="mailto:ehubbard@family-net.net">ehubbard@family-net.net</a>
Anne M. Zehr	<a href="mailto:zehr@whitt-sturtevant.com">zehr@whitt-sturtevant.com</a>	Brian R. Kalb	<a href="mailto:brk@bcpklaw.com">brk@bcpklaw.com</a>
Joel W. Kanvik	<a href="mailto:joel.kanvik@enbridge.com">joel.kanvik@enbridge.com</a>	Forrest G. Keaton	<a href="mailto:fkeaton@rblawyers.net">fkeaton@rblawyers.net</a>
Owen E. MacBride	<a href="mailto:omacbride@schiffhardin.com">omacbride@schiffhardin.com</a>	Michael J. Rooney	<a href="mailto:mike@mjroney.com">mike@mjroney.com</a>
Adam T. Margolin	<a href="mailto:adam.margolin@quarles.com">adam.margolin@quarles.com</a>	Joseph D. Murphy	<a href="mailto:jmurphy@meyercafel.com">jmurphy@meyercafel.com</a>
John M. Myers	<a href="mailto:jmyers@springfieldlaw.com">jmyers@springfieldlaw.com</a>	Ted M. Niemann	<a href="mailto:tniemann@srnm.com">tniemann@srnm.com</a>
Gregory A. Pearce	<a href="mailto:wrenchandchalk2@aol.com">wrenchandchalk2@aol.com</a>	Deborah D. Rooney	<a href="mailto:debster259@ymail.com">debster259@ymail.com</a>
Joseph E. Hooker	<a href="mailto:joseph.hooker@ci.champaign.il.us">joseph.hooker@ci.champaign.il.us</a>	Theresa Pearce	<a href="mailto:wrenchandchalk2@aol.com">wrenchandchalk2@aol.com</a>
Christopher N. Skey	<a href="mailto:christopher.skey@quarles.com">christopher.skey@quarles.com</a>	G. Darryl Reed	<a href="mailto:gdreed@sidley.com">gdreed@sidley.com</a>
Erin Szalkowski	<a href="mailto:eszalkowski@cleanlineenergy.com">eszalkowski@cleanlineenergy.com</a>	Jeffrey L. Small	<a href="mailto:jsmall@misoenergy.com">jsmall@misoenergy.com</a>
Christopher J. Townsend	<a href="mailto:christopher.townsend@quarles.com">christopher.townsend@quarles.com</a>	Mark Weinheimer	<a href="mailto:mweinheimer@polsinelli.com">mweinheimer@polsinelli.com</a>
Angela M. Weis	<a href="mailto:aweis@sidley.com">aweis@sidley.com</a>	Bradley B. Wilson	<a href="mailto:brad@gwspc.com">brad@gwspc.com</a>
Edward R. Gower	<a href="mailto:egower@hinshawlaw.com">egower@hinshawlaw.com</a>	Adam Guetzow	<a href="mailto:aguetzow@hinshawlaw.com">aguetzow@hinshawlaw.com</a>
Luke A. Hagedorn	<a href="mailto:lhagedorn@polsinelli.com">lhagedorn@polsinelli.com</a>	Kevin N. McDermott	<a href="mailto:kevin@kevinmcdermott.com">kevin@kevinmcdermott.com</a>
John T. Long	<a href="mailto:johnlong@cavanagh-ohara.com">johnlong@cavanagh-ohara.com</a>	David Streicker	<a href="mailto:dstreicker@polsinelli.com">dstreicker@polsinelli.com</a>
Tim Shrake	<a href="mailto:timshrake@cavanagh-ohara.com">timshrake@cavanagh-ohara.com</a>	Donna M. Allen	<a href="mailto:canuplay40@gmail.com">canuplay40@gmail.com</a>
Richard T. Copeland Jr.	<a href="mailto:rcope51773@aol.com">rcope51773@aol.com</a>	James Phillips	<a href="mailto:gabookcompany@aol.com">gabookcompany@aol.com</a>
Tori Phillips	<a href="mailto:urfun2@aol.com">urfun2@aol.com</a>	Walker R. Filbert	<a href="mailto:wrf05@frontier.com">wrf05@frontier.com</a>
John Finn	<a href="mailto:sidneyvillageboard@gmail.com">sidneyvillageboard@gmail.com</a>	Laura T. Grotenhuis	<a href="mailto:cyclone@joink.com">cyclone@joink.com</a>
Cary Kottler	<a href="mailto:ckottler@cleanlineenergy.com">ckottler@cleanlineenergy.com</a>	Peggy Mills	<a href="mailto:peg@turbinesinc.com">peg@turbinesinc.com</a>
Adam Ragheb	<a href="mailto:adam.ragheb@gmail.com">adam.ragheb@gmail.com</a>	Magdi Ragheb	<a href="mailto:aragheb@illinois.edu">aragheb@illinois.edu</a>
Matthew R. Rentschler	<a href="mailto:mrentschler@ruralking.com">mrentschler@ruralking.com</a>	Justin Ramey	<a href="mailto:araynolds6@gmail.com">araynolds6@gmail.com</a>
Beth A. Bauer	<a href="mailto:bab@heplerbroom.com">bab@heplerbroom.com</a>	Charles A. Burton	<a href="mailto:schuylaw@frontiernet.net">schuylaw@frontiernet.net</a>
Michael T. Cody	<a href="mailto:mtpcody@yahoo.com">mtpcody@yahoo.com</a>	Hanna M. Conger	<a href="mailto:conger@whitt.sturtevant.com">conger@whitt.sturtevant.com</a>
Michael E. Lockwood	<a href="mailto:ilrivproj@loptics.com">ilrivproj@loptics.com</a>	Brian K. Ralston	<a href="mailto:ralstonbayside@gmail.com">ralstonbayside@gmail.com</a>
David G. Bockhold	<a href="mailto:bockhold@adams.net">bockhold@adams.net</a>	Erbon Doak	<a href="mailto:rcfarms@consolidated.net">rcfarms@consolidated.net</a>
Laura A. Harmon	<a href="mailto:lharmon@ilfb.org">lharmon@ilfb.org</a>	Michael Hutchinson	<a href="mailto:mikehutchinson1@gmail.com">mikehutchinson1@gmail.com</a>
Thomas McLaughlin	<a href="mailto:tmcl07@frontiernet.net">tmcl07@frontiernet.net</a>	Virginia Megredy	<a href="mailto:prairieone@gmail.com">prairieone@gmail.com</a>
William F. Moran III	<a href="mailto:bmoran@stratton-law.com">bmoran@stratton-law.com</a>	Dustin L. Probst	<a href="mailto:dprobst@doveanddove.com">dprobst@doveanddove.com</a>
R. Kurt Wilkey	<a href="mailto:wilke@barberlaw.com">wilke@barberlaw.com</a>	James R. Bates	<a href="mailto:jimb@ibew51.org">jimb@ibew51.org</a>
Andrew W. Bequette	<a href="mailto:andrew@beckettwebber.com">andrew@beckettwebber.com</a>	Emily Broach	<a href="mailto:emily.broach@db.com">emily.broach@db.com</a>
Shan Clevenger	<a href="mailto:sclevenger@niemannfoods.com">sclevenger@niemannfoods.com</a>	Susan Gretz	<a href="mailto:sgretz@tnc.org">sgretz@tnc.org</a>
John H. Johnson	<a href="mailto:johnj@ibew51.org">johnj@ibew51.org</a>	John A. Simon	<a href="mailto:john.simon@db.com">john.simon@db.com</a>
Rochelle G. Skolnick	<a href="mailto:rgs@schuchatcw.com">rgs@schuchatcw.com</a>	Marilyn S. Teitelbaum	<a href="mailto:mst@schuchatcw.com">mst@schuchatcw.com</a>
Darrell A. Woolums	<a href="mailto:woolums@samuelsmiller.com">woolums@samuelsmiller.com</a>	John D. McMillan	<a href="mailto:John@mmddlaw.com">John@mmddlaw.com</a>
S. Craig Smith	<a href="mailto:craig@ashersmithlaw.com">craig@ashersmithlaw.com</a>	Everett Nicholas	<a href="mailto:enicholas@robbins-schwartz.com">enicholas@robbins-schwartz.com</a>
Steve Ruholl	<a href="mailto:srcustomcabinet@yahoo.com">srcustomcabinet@yahoo.com</a>	William Shay	<a href="mailto:wshay@skplawyers.com">wshay@skplawyers.com</a>